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February 26, 2004

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Federal Communications Commission
Office of the Secretary


MS. Marlene H. Dortch, Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

**Re: Louisa Communications
CC Docket No. 96-45
Supplement to Petition for Waiver of Deadlines in 47 C.F. R. 54.802(a)**

Dear Ms Dortch:

Enclosed are an original and four (4) copies of a supplement to the above referenced Petition for Waiver Pursuant to Section 1.1105 of the Commission's rules, filed on January 12, 2004, there is no filing fee associated with this request. Regina Brown of FCC staff identified required corrections to rule reference. In addition, the reference in the first sentence, third paragraph of the Petition should read "On or before January 7, 2004" instead of "On or before January 7, 2004". Attached is a corrected copy of the Petition. The reference to the waiver of deadlines should be 47C.F.R.54.802(a) in place of 47C.F.R.54.307(b). In addition, as requested, please find the Iowa Utilities Board order designating Louisa Communications as an Eligible Telecommunications Carrier (ETC), dated June 19, 2001.

Respectfully submitted,



Randy D. Feer
Louisa Communications
224 South Kansas
Morning Sun, Iowa 52640
319-868-7636

Enclosures

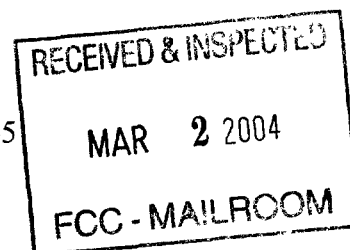
Corrected petition and four copies

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**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In re)
Louisa Communications, LLC.)
Petition for Waiver of Deadline)
In 47 C.F.R. 54. 802(a))

CC Docket No 96-45



Waiver - expedited action requested

**PETITION OF LOUISA COMMUNICATIONS
FOR WAIVER OF DEADLINE IN 47 C.F.R 54.802(a)**

Louisa Communications, pursuant to Section 1.3 and 1.925 of the Commission's Rules, Sec. C.F.R. 2.3, 47 C.F.R. 1.925, hereby petitions the Commission for waiver of the December 30, 2003 filing deadline for Interstate Access Support (IAS) reported data set forth in Section 54.802(a) of the Commission's rules and requests the Commission accept its December 30, 2003 Interstate Access Support Line Count data submissions as timely.

Louisa Communications is an Eligible Telecommunications Carrier ("ETC") in the state of Iowa, and is eligible to receive Interstate Access Support (IAS) as a competitive local exchange carrier ("CLEC"). Louisa operates as a CLEC with Study Area Code 359018. At the end of the fourth quarter of 2003, Louisa Communications filed with the Universal Service Administration Company (USAC), its Interstate Access Support Line Count report. It was mailed on December 23, 2003 and not received by USAC until January 5, 2004, beyond the required filing date of December 30, 2003. Subsequently, Louisa Communications is considered as ineligible for Interstate Access Support payments for the First Quarter of 2004.

On or before January 7, 2004, Universal Service Administrative Company notified Louisa Communications they had not received their Interstate Access Support filing until January 5, 2004 and as a result Louisa Communications would be ineligible for IAS for the first quarter of 2004. Louisa Communications needed to submit this filing in order to receive their 2004 Interstate Access Support. Louisa Communications understands very well the extreme importance of timely data and certification filings by all ETCs, and regrets the delay in its receipt of its filing at USAC. Louisa Communications has previously sent its report via US Mail and had not experienced any previous delay. In retrospect it is apparent that there were several factors Louisa Communications did not allow for. For example, the 23rd of January was during the peak mail handling Christmas

season for the US Postal Service, the Christmas Holiday would delay pick up of the outgoing mail, the nation was on a Orange (High level) Homeland Security Alert Status likely affecting mail delivery on the East Coast of the United States, and year end work schedule fluctuation. Louisa Communications is a CLEC providing local exchange service to 803 customers in the rural exchange of Wapello, Iowa and has substantial investment in facilities to provide competitive service to its customers in that community. With the exception of the fourth Quarter of 2003, Louisa Communications has always met the required filing timetable. Louisa Communications fully accepts responsibility for the late receipt of its filing by USAC and for future filing will send its reports in a manner providing expedited and verified delivery to USAC.

After discussing this matter with USAC, USAC advised Louisa Communications to file this petition for waiver as a course to maintain its universal service revenue a deadline waiver would be necessary for IAS support payments to be distributed based on the line count report delivered to USAC in January 2004.

The Interstate Access Support for Louisa Communications is \$1,186 per month, which represents a significant part of Louisa Communications operating income and as such denotes the level and quality of service Louisa Communications can provide its approximately 800 rural customers. Not receiving the IAS funds will adversely influence Louisa Communications ability to maintenance the quality of service to the its customers which is expected by both the Federal Communications Commission and the Iowa Utilities Board. Louisa Communications operating as a rural CLEC operates on very close margins in order to provide the quality of service its customers deserve.

REQUEST FOR WAIVER

Louisa Communications understands very well the extreme importance of timely data and certification filings by **all** ETCs, and regrets its' USAC Fourth Quarter 2003 delinquent receipt of its line count data. As explained proceeding, Louisa did not allow for the exceptions, which affected the delivery of its filing using normal US Mail. Louisa Communications now understands it should send future reports allowing for any exceptions affecting delivery of its filing and will send future filing with additional time allowed and will send in a manner which provides for verification of timely receipt.

Section 1.3 of the Commission's rules provides the Commission with discretion to waive application of any of its rules upon showing of good cause. In addition, Section 1.925(b)(3) provides for waiver where it is shown that:

(i) The underlying purpose of the rule(s) would not be served or would be frustrated by application to the instant case, and that grant of a waiver would be in the public interest, or In view of unique or unusual factual circumstances of the instant case, application of the rules would be inequitable, unduly burdensome or contrary to the public interest, or the applicant has no reasonable alternative.

(ii) Louisa Communications takes no issue with the reasonableness of the

Commission's rules requiring timely data submissions by CLEC, and recognizes the importance of compliance with these rules. Louisa Communications contends the purpose of these rules, however, is to ensure the Commission and USAC are able to properly project, collect, and distribute all universal service mechanisms in a timely and accurate manner. Given USAC requested the information from Louisa Communications and recommended Louisa Communications file this petition for waiver, and Louisa Communications has already submitted the IAS line count report to USAC, the lateness should not have unduly hindered USAC's administrative functions.

Because Louisa Communications took immediate action upon notification of its delinquent filing, Louisa Communications contends an interruption of its IAS support for an entire quarter would frustrate the purpose of the Interstate Access Support rules, and would not serve the public interest. Louisa Communications has been approved for ETC status by the Iowa Utilities Board (IUB) and proper use of the support provided has been certified by Louisa Communications with the Commission, USAC, and the IUB. While denial of projected Interstate Access Support during the first quarter of 2004 due to a filing error, an error immediately acted on upon discovery, it would not be in the public interest for the reason stated above, Louisa Communications feels it has shown good cause for waiver of this filing deadline under Section 1.3 of the Commission's rules, as well as justification for such a waiver at the Commission's discretion under Section 1.925(b)(3). The waiver would serve the public interest by allowing Louisa Communications to receive uninterrupted IAS support for its ETC offering. Expedited action is requested so USAC may accept Louisa Communications' Fourth Quarter 2003 Interstate Access Support Line Count data as timely, allowing the data included in these filings to be incorporated into USAC's 2004 projections and support payments, and allowing Louisa Communications to receive uninterrupted IAS support.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Randy D. Foor', is written over a horizontal line.

Randy D. Foor
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319-868-7636